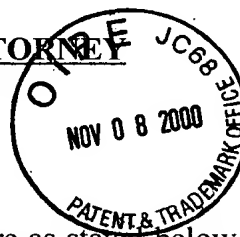


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**DECLARATION AND POWER OF ATTORNEY**  
**FOR PATENT APPLICATION**



As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PASSIVE TOUCH SYSTEM AND METHOD OF  
DETECTING USER INPUT**

the specification of which was filed on July 5, 2000 and accorded serial number 09/610,481.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATIONS**

**PRIORITY CLAIMED**

N/A				
(Number)	(Country)	(Day/Month/Year)	Yes	No

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

N/A			
(Application Serial No.)	(Filing Date)	(Status)	(Patented, pending, abandoned)



And we hereby appoint:

**FITZPATRICK, CELLA, HARPER & SCINTO**  
**Customer Number: 05514**

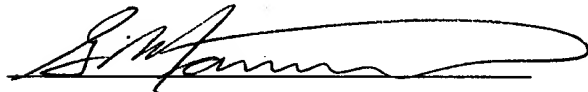
as our attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of first inventor:**

Gerald Morrison

Inventor's signature:



Date: 18 OCT 00

Citizenship: Canadian

Residence: 736 Arbour Lake Drive NW, Calgary, Alberta, T3G 4C6, Canada

Post Office Address: Same as Residence Address Noted Above



**Full name of second inventor:**

Manvinder Singh

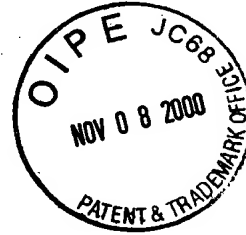
Inventor's signature:

Date: OCTOBER 18, 2000

Citizenship: Canadian

Residence: 902 Harris Place NW, Calgary, Alberta T3B 2V4, Canada

Post Office Address: Same as Residence Address Noted Above





Applicant or Patentee: Gerald Morrison and Manvinder Singh

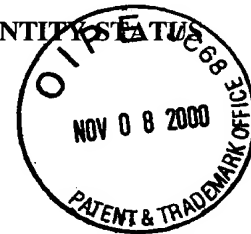
Attorney's Docket No: 1814.46

Serial or Patent No.: 09/610,481

Filed or Issued: July 5, 2000

For: PASSIVE TOUCH SYSTEM AND METHOD OF DETECTING USER INPUT

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
(37 CFR 1.9(f) and 1.27(c))  
**SMALL BUSINESS CONCERN**



I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Smart Technologies, Inc.

ADDRESS OF CONCERN: Suite 600, 1177 - 11<sup>th</sup> Avenue S.W., Calgary, Alberta T2R 1K9, Canada

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Passive Touch System and Method of Detecting User Input by inventors Gerald Morrison and Manvinder Singh described in

- ☐ the specification filed herewith  
☒ application serial no. 09/610,481, filed July 5, 2000  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). (\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ Individual    ☐ Small Business Concern    ☐ Non-Profit Organization

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ Individual    ☐ Small Business Concern    ☐ Non-Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Nancy Knowlton

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 1177 11<sup>th</sup> Avenue S.W., Suite 600, Calgary, Alberta T2R 1K9

SIGNATURE Knowlton DATE October 19, 2000